

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5811

ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: STEFANCIK/BRISTER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: MR. THOMPSON

SECONDED BY: MR. DEAN

ON THE 4 DAY OF MAY , 2017

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE SOUTH SIDE OF DUMMYLINE ROAD, EAST OF PREACHER KENNEDY ROAD, BEING 37264 DUMMYLINE ROAD, PEARL RIVER AND WHICH PROPERTY COMPRISES A TOTAL OF 2.31 ACRES OF LAND MORE OR LESS, S27, T7S, R14E, FROM ITS PRESENT A-2 (SUBURBAN DISTRICT) TO A-2 (SUBURBAN DISTRICT)& MHO (MANUFACTURED HOUSING OVERLAY), (WARD 6, DISTRICT 11); (2017-581-ZC)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. 2017-581-ZC, has recommended to the Council of the Parish of St. Tammany, Louisiana, that the zoning classification of the above referenced area be changed from its present A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing Overlay) see Exhibit "A" for complete boundaries; and

WHEREAS, the St. Tammany Parish Council has held its public hearing in accordance with law; and

WHEREAS, the St. Tammany Parish Council has found it necessary for the purpose of protecting the public health, safety and general welfare, to designate the above described property as A-2 (Suburban District) & MHO (Manufactured Housing Overlay).

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: in regular session convened that:

SECTION I: The zoning classification of the above described property is hereby changed from its present A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing Overlay).

SECTION II: The official zoning map of the Parish of St. Tammany shall be and is hereby amended to incorporate the zoning reclassification specified in Section I hereof.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 1 DAY OF JUNE, 2017; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
THERESA L. FORD, COUNCIL CLERK

\_\_\_\_\_  
PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: APRIL 26, 2017

Published Adoption: \_\_\_\_\_, 2017

Delivered to Parish President: \_\_\_\_\_, 2017 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2017 at \_\_\_\_\_

ADMINISTRATIVE COMMENT

ZONING STAFF REPORT

Date: 3/27/2017  
Case No.: 2017-581-ZC  
Posted: 03/22/17

Meeting Date: 4/4/2017  
Determination: Approved

GENERAL INFORMATION

PETITIONER: Amber Penton

OWNER: Amber Penton

REQUESTED CHANGE: From A-2 Suburban District to A-2 Suburban District & MHO Manufactured Housing Overlay

LOCATION: Parcel located on the south side of Dummyline Road, east of Preacher Kennedy Road, being 37264 Dummyline Road, Pearl River; S27, T7S, R14E; Ward 6, District 11

SIZE: 2.31 acres

GENERAL INFORMATION

ACCESS ROAD INFORMATION

Type: Parish

Road Surface: 2 lane asphalt

Condition: Good

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Surrounding Use</u>	<u>Surrounding Zone</u>
North	Undeveloped	A-2 Suburban District
South	Undeveloped	A-2 Suburban District
East	Undeveloped	A-2 Suburban District
West	Residential	A-2 Suburban District

EXISTING LAND USE:

Existing development: No

Multi occupancy development: No

COMPREHENSIVE PLAN:

**Residential** - Areas that provide for dwelling units. Such areas may vary in site design, structure design, and in the density of units per acre. Certain areas such as "village or town residential" may include mixed uses and would have the highest number of units per acre, while "Rural residential" would have the lowest number of units per acre, and may include agricultural or open space uses as well. In between these two types of residential areas would be varying levels of single-family detached dwellings, multi-family attached residential, and planned subdivisions for manufactured homes.

STAFF COMMENTS:

The petitioner is requesting to change the zoning from A-2 Suburban District to A-2 Suburban District & MHO Manufactured Housing Overlay. This site is located on the south side of Dummyline Road, east of Preacher Kennedy Road, being 37264 Dummyline Road, Pearl River. The 2025 future land use plan calls for the area to be developed with residential uses including manufactured homes. Staff does not have any objection to the request.

STAFF RECOMMENDATION:

The staff recommends that the request for a MHO Manufactured Housing Overlay designation be approved.



ST. TAMMANY PARISH  
PATRICIA P. BRISTER  
PARISH PRESIDENT

4/7/2017

Amber Penton  
316 Oriole Drive  
Slidell, LA 70458

RE: 2017-581

Dear Amber Penton:

On April 4, 2017 the Zoning Commission, in regards to the above captioned case, recommended that the requested zoning changing from A-2 Suburban District to A-2 Suburban District & MHO Manufactured Housing Overlay be approved.

Since the case was approved, it goes to the Council Meeting for adoption. The remainder of this process takes about 1 1/2 to 2 months for the change to become effective. Zoning cases typically become effective upon publication in the official Parish journal.

Should you have any questions, please call me at (985) 898-2529.

Sincerely,

A handwritten signature in cursive script that reads "Helen Lambert".

Helen Lambert  
Assistant Director

**Case No.:** 2017-581-ZC

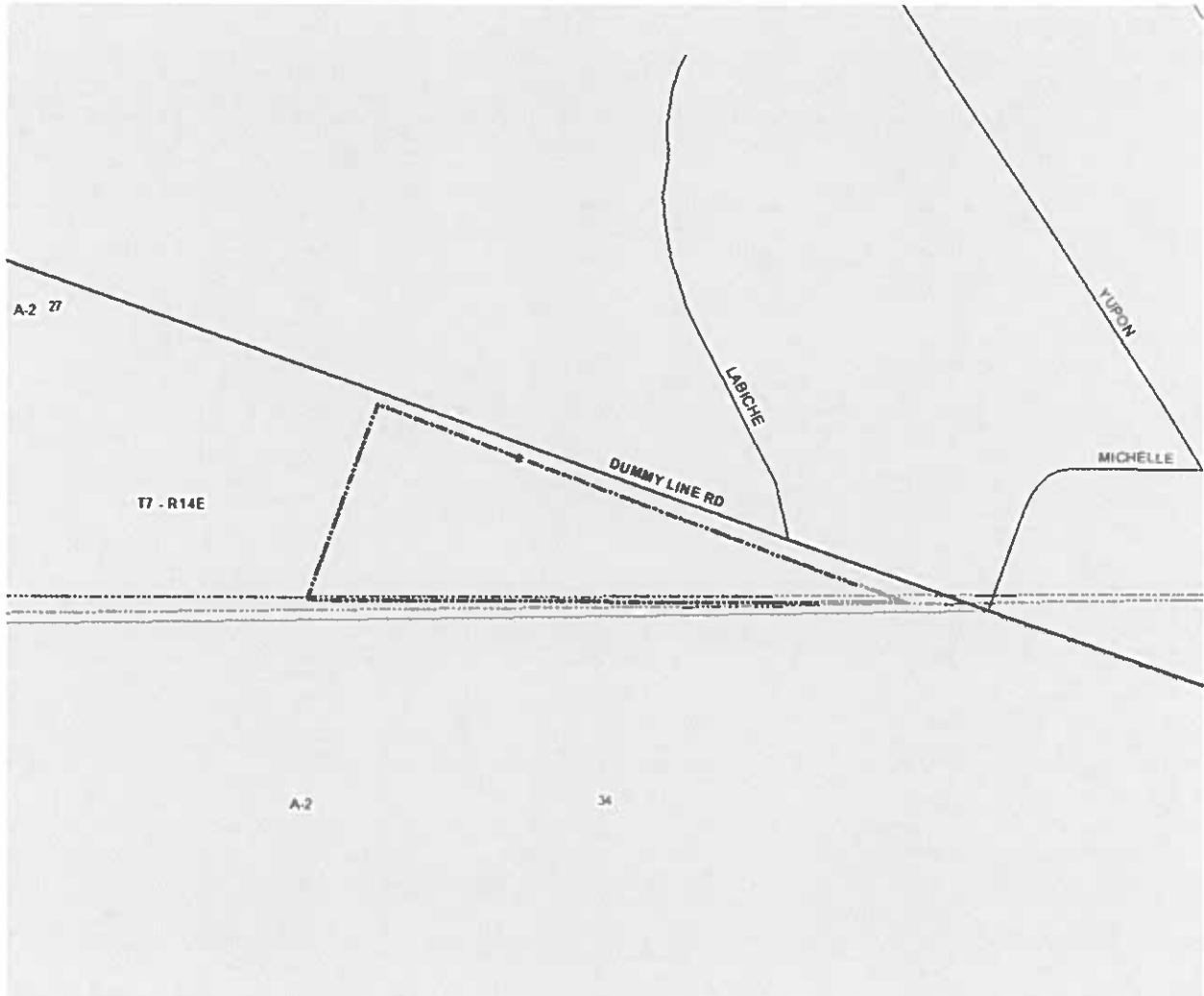
**PETITIONER:** Amber Penton

**OWNER:** Amber Penton

**REQUESTED CHANGE:** From A-2 Suburban District to A-2 Suburban District & MHO Manufactured Housing Overlay

**LOCATION:** Parcel located on the south side of Dummyline Road, east of Preacher Kennedy Road, being 37264 Dummyline Road, Pearl River; S27, T7S, R14E; Ward 6, District 11

**SIZE:** 2.31 acres



2017-581-ZC

CLIFFORD SINGLETARY

GENE

A-2

27

MURPHY

LADYOTE

DUMMAY LINE

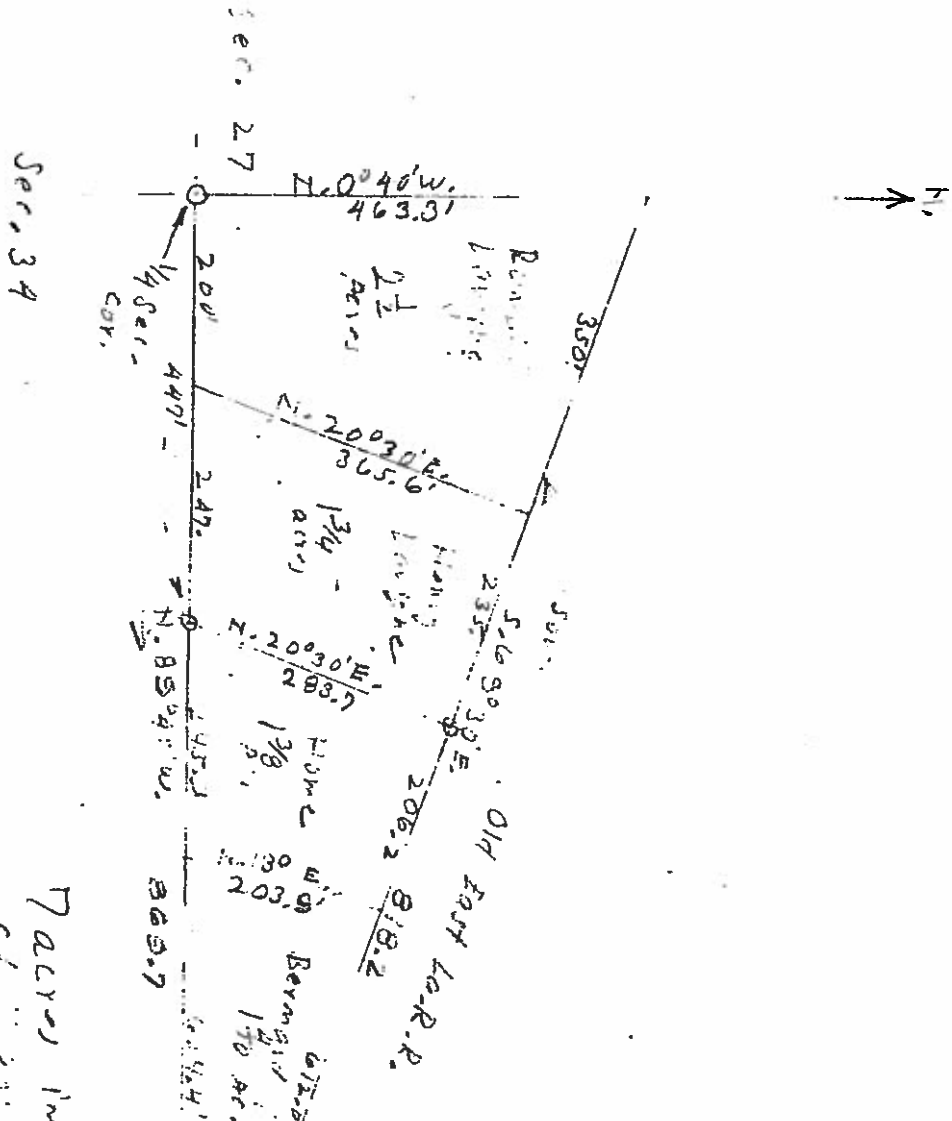
MICHELLE

T7-R14E

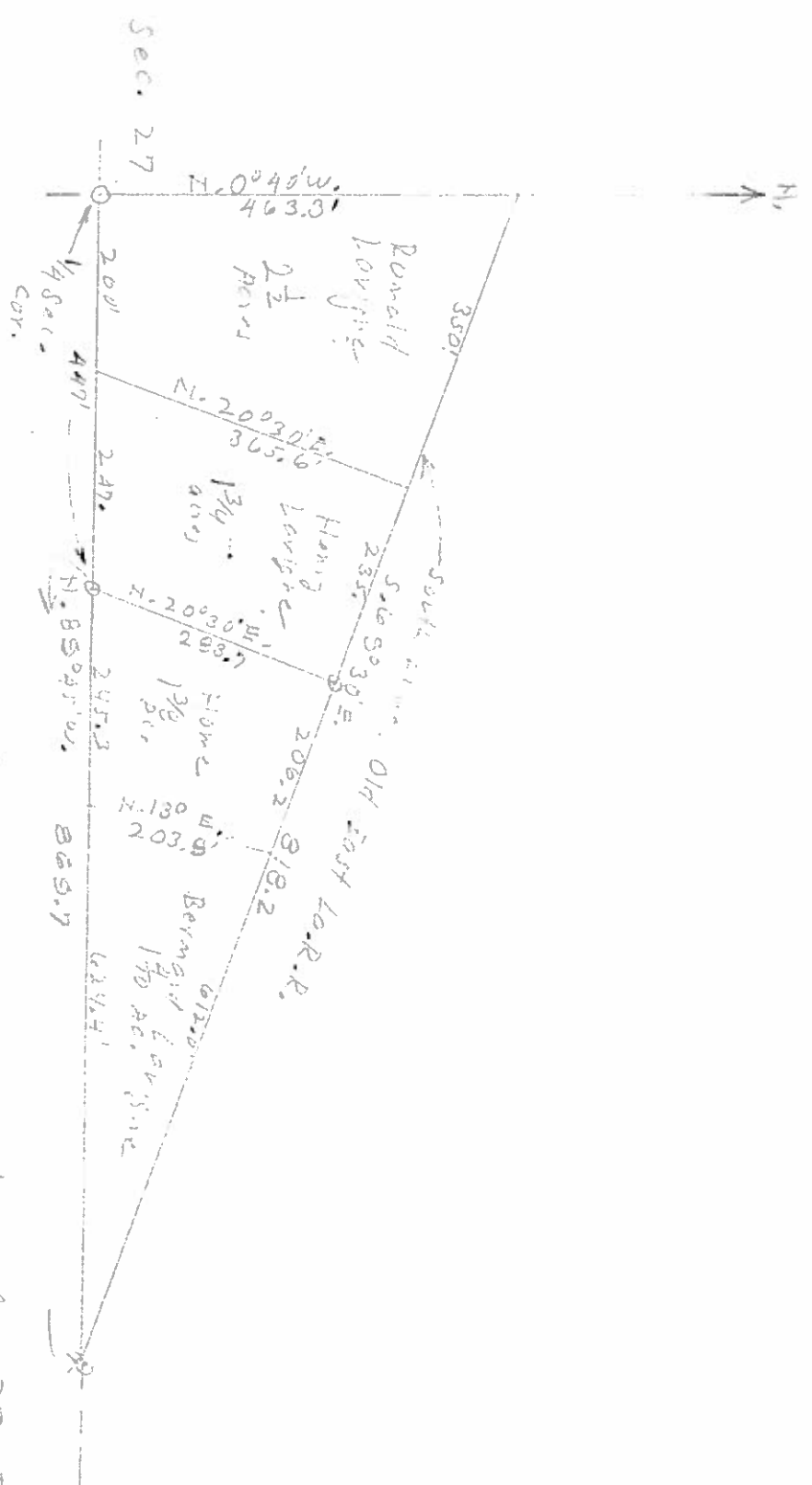
34

0 400 Feet





7 acres in City of Sec. 27-735-County  
 S. 1/4 ac.  
 Lavigne & Sons  
 August 10 1910



7 ACRES in S.E. 1/4 of Sec. 27 - T. 75 - R. 10 E.  
 Stationing from Parcel...  
 Lavigne Report  
 Appraiser  
 10-11-50



**CASH SALE  
STATE OF LOUISIANA**

On the 16th day of February, 2017, before me, Notary Public for the above state and residing therein, and in the presence of the subscribing witnesses, personally appeared:

**RITA LAVIGNE CRYER**, a person of the full age of majority and resident of the Parish of St. Tammany, State of Louisiana, who declared under oath unto me, Notary, that she has been married but once and then to Joseph Cryer with whom she is presently living and residing, dealing with her separate property. Mailing address: 36113 Ebb Guillot Road, Pearl River, LA 70452

Hereinafter referred to as "Seller", who declared that for the price and sum of Twenty Thousand and 00/100 (\$20,000.00) cash, receipt of which is acknowledged, SELLER hereby sells and delivers with full warranty of title and subrogation to all rights and actions to warranty SELLER may have, unto:

**AMBER G PENTON**, a person of the full age of majority and resident of the Parish of St. Tammany, State of Louisiana, who declared under oath unto me, Notary, that she has been married but twice, firstly to Bobby Colgin from whom she was divorced, and secondly to Charles Anderson, Jr. from whom she was divorced. She has not since remarried and resides as single. Mailing address: 316 Oriole Drive, Slidell, LA 70458

Herein called BUYER, resident(s) of and domiciled in the State of Louisiana, here present and accepting, purchasing for themselves, their heirs and assigns, and following described property, the possession and delivery of which BUYER acknowledges:

**ALL THAT CERTAIN PIECE OR PORTION OF GROUND**, situated in St. Tammany Parish, Louisiana, being more fully described as follows, to-wit:

**Two and Thirty-one Fortieths (2-31/40) acres of land, together with all buildings and Improvements thereon, situated in the SE 1/4 of Section 27, Township 7 South, Range 14 East, St. Tammany Parish, Louisiana, to-wit:**

**From the Quarter (1/4) Section Corner between Sections 27 and 34 of Township 7 South, Range 14 East, St. Tammany Parish, Louisiana; go South 89 Degrees, 45 Minutes, East 447.0 feet the line dividing Sections 27 and 34 to the POINT OF BEGINNING.**

**Thence go South 89 Degrees, 45 Minutes East 869.7 feet to the South line of the Right of Way of the old East Louisiana Railroad; Thence go North 69 Degrees, 30 Minutes West 818.2 feet along the South line of said railroad; Thence go South 20 Degrees, 30 Minutes West 283.7 feet to the BEGINNING.**

**NOTE: Former deeds erroneously refer to the South line of the Right of Way of the N.O.G.N. Railroad. This line is actually the South line of the Right of Way of the old East Louisiana Railroad.**

**FOR INFORMATIONAL PURPOSES ONLY:**

**Improvements thereon bear the Municipal No. 37264 Dummyline Road, Pearl River, Louisiana.**

**Being the same property acquired by Rita Lavigne Cryer, by act dated March 13, 2015, recorded May 12, 2015, under Instrument No. 1980297 of the records of the Clerk of Court for St. Tammany Parish, Louisiana.**

**THIS SALE IS SUBJECT TO THE FOLLOWING:**

- 1. Any encroachments, overlaps, easements, rights of way, servitudes and all matters which might appear on a current survey of the property.**
- 2. Any restrictions, covenants, easements, rights of way, servitudes, setback lines recorded in the official records of the Parish of St. Tammany and restrictions recorded on plan of subdivision.**

**NOTE: Purchasers or Purchaser's representatives have been offered or provided, prior to the execution of this act of sale and transfer, the opportunity to fully inspect and examine any and all buildings and all things contained therein which comprise the premises being sold and transferred. The Purchasers know and are satisfied with the physical condition of the premises in all respects, including but not limited to the structural condition of the building(s), the condition of all things contained in said building(s), and any past or present visible or hidden wood destroying insect or organism infestation and resultant damage there**

from, and that same is acceptable to Purchasers "AS IS" and Purchasers affirm and agree that no representation, statements or warranties have at any time been made by Seller, or Seller's Agents, as to the physical condition or state of repair of the premises in any respect and that the purchase price takes into consideration the condition of the premises.

Seller and Purchaser hereby acknowledges and recognizes that this sale is in "AS IS" condition, and accordingly, hereby relieves and releases seller and all previous owners thereof from any and all claims for any vices or defects in said property, whether obvious or latent, known or unknown, easily discoverable or hidden, and particularly for any claim or cause of action for redhibition pursuant to Louisiana Civil Code of Articles 2520, et seq., or for diminution of purchase price pursuant to Louisiana Civil Code Articles 2541, et seq. Purchaser acknowledges he understands that Louisiana redhibition law enables him to hold seller responsible for any obvious or hidden defects in the property existing on the act of sale date, and that he is waiving that right.

Initial: RLC      AMA

Mortgage and Conveyance Certificates are waived by the parties hereto, who hereby exonerate me, Notary, from any and all liability on account of the non-production of same.

All taxes assessed against the property herein conveyed have been paid as per the parish tax records. Taxes for the year 2017 have been pro-rated and will be paid by the Purchaser when due.

All agreements and stipulations herein, and all of the obligations herein assumed shall inure to the benefit of the Buyer and be binding upon their heirs, successors and assigns of the respective parties and the BUYER, his heirs, and assigns shall have and hold the described property in full ownership forever.

DONE AND PASSED by the parties on the hereinabove stated date and in the presence of me, Notary, and the undersigned competent witnesses who have signed in the presence of the parties and me, Notary.

WITNESSES:

Erica Spano  
Printed Name: ERICA SPANO

Jane Rodriguez  
Printed Name: JANE RODRIGUEZ

Rita Lavigne Cryer  
RITA LAVIGNE CRYER

Amber G Penton  
AMBER G PENTON

Raymond Brinson  
NOTARY PUBLIC



RAYMOND BRINSON  
NOTARY PUBLIC  
BAR ROLL #27187  
STATE OF LOUISIANA  
MY COMMISSION IS ISSUED FOR 01/01/2017 TO 12/31/2018

Patriot Title, LLC  
245 Pontchartrain Drive  
Slidell, LA 70458  
Producer Lic. #326492  
First American Title Ins. Co. of Louisiana, Inc.  
Title Opinion provided by  
Raymond Brinson, Bar Roll #27187  
FILE NO. 170002



**ST. TAMMANY PARISH**  
PATRICIA P. BRISTER  
PARISH PRESIDENT

**LAND USE REVIEW APPLICATION**

Type of Request:

- Zoning Change
- Planned Review
- Administrative Permit

Case Number: 2017-581-2C

Fees Due: 440.50

Submittal Deadline: 02/13/16

Date Paid: 02/16/17

Hearing Date: 04/04/17

Payment Method: CHECK 1046

Request: A2 TO A2 with MHO

Is this proposed use temporary?  Yes  No If so when will it be removed? \_\_\_\_\_

Location of property (General Description): 37264 Dummy line Road Pearl River, LA 70452

Present Zoning Classification: A2  
 Ward: 6 District: 11  
 STR: S27 T7R14E  
 Subdivision: N/A  
 Previous Use: \_\_\_\_\_  
 Maximum Height of Structure(s): \_\_\_\_\_  
 Adjacent Uses: \_\_\_\_\_

Existing Use: Residential  
 Proposed Use: mobile home  
 Square Ft. of Proposed Use: \_\_\_\_\_  
 Acreage or Sq. Ft. of Site: 2.31 Acres  
 Proposed Hours of Operation: \_\_\_\_\_  
 Number of Employees (Max. Shift): \_\_\_\_\_  
 Sign Type, Size and Location: \_\_\_\_\_

**IMPORTANT NOTES:**

- Due to advertising and public hearing deadlines, all applications must be submitted by 11:30 A.M. of the deadline date to assure compliance with notice requirements.
- The Petitioner or Representative must be present at the Zoning Commission Meeting to address any questions or comments relative to the project.
- Applicant must appear at hearing to request tabling of a case.
- All appeals of an action of Planning and Zoning Commission must be submitted within 10 days of said action.
- It is recommended that the Applicant, or a duly appointed representative, contact the Department of Planning & Development prior to submittal of this application to discuss the details of this proposal.

NOTE: THIS DOCUMENT MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC.

By my signature below, I certify that all information submitted to the Department of Planning & Development is TRUE and CORRECT, and understand that failure to submit TRUE and CORRECT information can result in delay or denial in this application. I further certify that I have read and understand the above important notes relative to the submission of this application

Property Owner(s) Date: \_\_\_\_\_  
 Name: Amber Penton  
 Address: 316 Oriole Drive  
Slidell, LA 70458  
 Phone: 985-788-5376  
 Signature: [Signature]

Contact Person Date: 2-16-17  
 Name: Same  
 Address: Oanderson 4780 @ jphoto.com  
 Phone: \_\_\_\_\_  
 Signature: \_\_\_\_\_

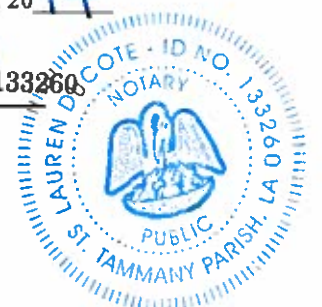
BEFORE ME, the undersigned authority, personally appeared the persons whose signatures are affixed above, all of full age and majority, who declared to me, Notary, that they are the owners or duly authorized representatives of all that certain lot, piece, or parcel of land located as set forth in this application, that their signatures were executed freely and voluntarily and that they are duly qualified to sign.

SWORN TO AND SUBSCRIBED before me this 16 day of February, 2017

[Signature]

Lauren Ducote, Notary Public No. 133260

Notary Public



**FEE SCHEDULE**

As per  
St. Tammany Parish Code of Ordinances  
Article I, Section 2.009.00  
Schedule of Fees, Charges, and Expenses

**ZONING AMENDMENTS**

**Fees**

Existing Single Family Residential .....\$50 per acre to a maximum of \$1250  
All Other Types of Zoning Changes ..... \$100 per acre for first 25 acres and \$10 per acre over 26 acres  
Processing Fee ..... \$250.00

**Worksheet**

Acreage fee (1-25 acres): ..... 2.31 Acres at 50 dollars per acre = \$ 115.5  
26 acres and above: ..... \_\_\_\_\_ Acres at \$10.00 dollars per acre = \$ \_\_\_\_\_  
Processing fee (If required): ..... \$ 250  
Advertising costs: ..... \$ 75.00  
Total cost of rezoning petition: ..... \$ 440.50

**ADMINISTRATIVE PERMITS**

**Fees**

**Residential Use**

Home Office/Occupation ..... \$ 25.00  
Temporary Use ..... \$ 25.00  
Residential Structure ..... \$ 50.00  
Pond ..... \$ 50.00  
Commercial, Institutional, Industrial or Other Use ..... \$100.00

164388

Cash Sale

HENRY J. LAVIGNE, SR.

STATE OF LOUISIANA,  
PARISH OF ST. TAMMANY,

to  
Slidell Savings & Homestead Association

Be it known, that on this 2nd day of July A. D., 19 60  
before me, L. V. COOLEY, Jr., a Notary Public, duly qualified to act in and for said Parish and State, Personally  
Appeared:

HENRY J. LAVIGNE SR., of lawful age, married but once and then to Norma Jane Dixon,  
and a resident of the 6th Ward, St. Tammany Parish, Louisiana,

who declared that for and in consideration of the price and sum of  
FIVE HUNDRED AND 00/100 - - - - - (\$ 500.00 ) DOLLARS,  
cash in hand paid, receipt whereof is hereby acknowledged and good acquittance given for the same,

he does by these presents grant, assign, sell and deliver, unto **SLIDELL SAVINGS & HOME-  
STEAD ASSOCIATION**, a corporation duly chartered under laws of Louisiana and domiciled at Slidell, this  
Parish and State, and herein represented by its President, F. R. Singleton  
who accepts for said association, its successors and assigns and acknowledges delivery and possession of the follow-  
ing described property, to-wit:

Two and thirty-one/fortieths (2 31/40) acres of land, together with all buildings and  
improvements thereon, situated in the S. E. 1/4 of Section 37, T. 7 S., R. 14 E., St.  
Tammany Parish, Louisiana, to-wit:

From the 1/4 Section corner between Sections 27 and 34 of T. 7 S., R. 14 E., St. Tammany  
Parish, Louisiana, go South 89 degrees 45 min. East 447.0 feet along the line dividing  
Sections 27 and 34 to the point of beginning:

Thence go South 89 degrees 45 minutes East 869.7 feet to the South line of the right  
of way of the old East Louisiana Railroad; thence go North 69 degrees 30 minutes West  
818.2 feet along the south line of said railroad; thence go South 20 degrees 30 minutes  
West 283.7 feet to the beginning.

NOTE: Former deeds erroneously refer to the South line of the right of way of the N. O.  
G. N. Railroad. This line is actually the South line of the right of way of the old  
East Louisiana Railroad.

All according to Survey of Lamar P. Harrison, C. E., dated March 12, 1960, hereto  
attached.

Being the same property now more accurately described per said survey, as acquired by  
said vendor per judgment in the Succession of Peter and Alvina A. Lavigne, No. 3197,  
January 30, 1960, recorded C.O.B. 284, Page 38 of the records of St. Tammany Parish, La.,  
and from Ronald William Lavigne to Henry J. Lavigne, per deed dated January 21, 1960,  
recorded C.O.B. 284, Page 81 of the records of St. Tammany Parish, Louisiana.

TO HAVE AND TO HOLD the said property unto the said purchaser, its successors and assigns, in full  
property forever, free from any liens, mortgages or other encumbrances whatever with full substitution and sub-  
rogation in and to all the rights and actions of warranty and all other rights as held herein by said vendor.

The said appearers hereby agree to dispense with the certificates of mortgage and conveyance required by law  
and to exonerate me, said Notary, from any liability on account of non-production of the same.

All taxes have been paid up to and including the year 19 59.

THUS DONE AND PASSED, in my office at Slidell, and Parish and State, in the presence of

W. L. Folse, Jr. and R. L. Dunham

competent witnesses, who sign these presents, together with the parties and me, Notary, the day and date first  
above written.

WITNESSES:

*[Handwritten signatures of witnesses]*

*[Handwritten signature of Henry J. Lavigne Sr.]*

Slidell Savings & Homestead Association

By F. R. Singleton  
President.

*[Handwritten signature of L. V. Cooley, Jr.]*  
Notary Public

DESCRIPTION OF PROPERTY OF MR. BERNARD LAVIGNE  
BEING A 1 3/8 ACRE LOT AND A 1 4/10 ACRE LOT...  
TOTAL OF 2 31/40 ACRES:

Two and thirty-one/fortieths ( 2 31/40 ) acres of land situated in the S. E. 1/4 of Section 37, T. 7 S., R. 14 E., St. Tammany Parish, Louisiana, to wit:

From the 1/4 Section corner between Sections 27 & 34 of T. 7 S., R. 14 E., St. Tammany Parish, Louisiana, go South 89 degrees 45 min. East 447.0 feet along the line dividing Sections 27 and 34 to the point of beginning:

Thence go South 89 degrees 45 minutes East 869.7 feet to the South line of the right of way of the old East Louisiana Railroad; thence go North 69 degrees 30 minutes West 818.2 feet along the south line of said railroad; thence go South 20 degrees 30 minutes West 283.7 feet to the beginning.

NOTE: Former deeds erroneously refer to the South line of the right of way of the N. O. G. N. Railroad. This line is actually the South line of the right of way of the old East Louisiana Railroad.

Certified correct: March 12, 1960.

*Jamar P. Harrison*  
Jamar P. Harrison, C. E.

I hereby certify that the above described property is the same as described in C.O.B. 284 - Polio & 1: P.W. Parizeau et al to H.S. Parizeau - Jan 21, 1960.

*Jamar P. Harrison* C.E.  
March 21, 1960